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PTO/SB/05 (03-01)

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	1821.0010002/EKS/HCC
First Inventor	Maurice ZAUDERER
Title	Methods of Selecting Polynucleotides Encoding Antigens
Express Mail Label No.	

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 101]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 18]
- Oath or Declaration [Total Pages \_\_\_\_\_]
  - ☐ Newly executed (original or copy)
  - ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
- ☒ Application Data Sheet. See 37 CFR 1.76.

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program  
(Appendix)
- Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - ☒ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☒ paper
- ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3)  
☒ Other: The name of the assignee is: University of Rochester

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-Part (CIP)  
Prior application information: Examiner: Ewoldt, G.

of prior application No: 08/935,377  
Group/Art Unit: 1644

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. PATENT RESPONSE ADDRESS

☒ Customer Number or Bar Code Label

Customer No. 26111

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(Insert Customer No. or Attach Bar Code label here)

or ☐ Correspondence address below

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.			
ADDRESS	Attorneys at Law			
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COUNTRY	TELEPHONE	FAX		

NAME (Print/Type)	Helene C. Carlson	Registration No. (Attorney/Agent)	47,473
SIGNATURE	<i>Helene C. Carlson</i>	Date	January 3, 2002

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
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January 3, 2002

WRITER'S DIRECT NUMBER:

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Commissioner for Patents  
Washington, D.C. 20231

**Box Patent Application**

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
(Divisional of Appl. No. 08/935,377; Filed: September 22, 1997)  
Appl. No. To be assigned; Filed: January 3, 2002  
For: **Methods of Selecting Polynucleotides Encoding Antigens**  
Inventors: Maurice ZAUDERER  
Our Ref: 1821.0010002/EKS/HCC

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05;
2. U.S. Utility Patent Application entitled:

**Methods of Selecting Polynucleotides Encoding Antigens**

and naming as inventor:

Maurice ZAUDERER

the application comprising:

- a. specification containing:
  - i. 94 pages of description prior to the claims;

Commissioner for Patents  
January 3, 2002  
Page 2

- ii. 6 pages of claims (38 claims);
- iii. a one (1) page abstract;
- b. 18 sheets of drawings: (Figures 1, 2, 3, 4, 5, 6, 7, 8A-8B, 9, 10, 11A-11B, 12, 13, and 14);
- c. 14 pages of a paper copy of the sequence listing; and
- d. an Application Data Sheet (37 C.F.R. § 1.76);
- 3. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time (*in duplicate*);
- 4. Preliminary Amendment;
- 5. A computer readable copy of the sequence listing. In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith in the above-mentioned application are the same; and
- 6. Two (2) return postcards.

The name of the assignee is University of Rochester.

Correspondence should be sent to Customer Number 26111.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Helene C. Carlson

Agent for Applicant

Registration No. 47,473

EKS/HCC/eak

Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Maurice ZAUDERER

Appl. No. To be assigned

Filed: January 3, 2002

For: **Methods of Selecting  
Polynucleotides Encoding  
Antigens**

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 1821.0010002/EKS/HCC



**Authorization To Treat A Reply As Incorporating An Extension Of  
Time Under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Helene C. Carlson  
Agent for Applicant  
Registration No. 47,473

Date: January 3, 2002  
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